

REMARKS/ARGUMENTS

Applicants request entry of this amendment in adherence with 37 C.F.R. §§1.821 to 1.825. The information contained in the computer readable form of Application No. 09/355,221, submitted on March 4, 2003, was prepared through the use of the software program "PatentIn" and was identical to that of the paper copy which was printed from the floppy disk, a copy of which is enclosed for the convenience of the Examiner. This amendment contains no new matter.

The amendments to insert sequence identifiers (SEQ ID NO:) for the sequences in paragraphs beginning on page 9, line 3 (Figure 1), page 11, line 18 (Figure 10), page 15, line 1, page 67, line 18, page 68, line 1, and page 81, line 34 were made in order to conform to the definition of nucleotide sequences given in 37 C.F.R. §1.821(a), where it states "Nucleotide...sequences as used in §§1.821 through 1.825 are interpreted to mean...an unbranched sequence of ten or more nucleotides...Sequences with fewer than four specifically defined nucleotides...are specifically excluded from this section. "Specifically defined" means...those nucleotide bases other than "n" defined in accordance with the World Intellectual Property Organization (WIPO) Handbook on Industrial Property Information and Documentation, Standard ST.25: Standard for the Presentation of Nucleotide and Amino Acid Sequence Listings in Patent Applications (1998), including Tables 1 through 6 in Appendix 2..."WIPO Standard ST.25 (1998)"" On page 2, lines 2-3, page 15, line 9, page 22, line 11, page 60, line 12, and page 64, line 15, nucleotide sequences occur which have only three "specifically defined" nucleotides, other than "N". Therefore, the sequences on these pages do not fall under the definitions of nucleotide sequences requiring inclusion in the Sequence Listing. By the same reasoning, the nucleotide sequence on page 15, line 6, and those in Figures 1 and 10 are included in this definition, the Specification was amended to insert sequence identifiers, and these sequences were entered in the Sequence Listing.

The amended nucleotide sequence on page 15, line 6, corrects an inadvertent error of a typographical nature. That this is a typographical error is supported by the fact that the corrected sequence consists of the GUC ribozyme target cleavage site which is essentially

identical to those sequences found in Figure 10 as SEQ ID NOS:11 and 12, but with differing lengths of 5' and 3' "N" residues.

This amendment is responsive to an non-final Office Action mailed on January 19, 2005.

To comply with the sequence listing requirement, the specification of the pending application has been amended to correspond to those amendments entered in the '959 patent.

A terminal disclaimer has been prepared and signed to overcome the remaining rejection.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and ready to be passed to the Board of Patent Appeals and Interferences for consideration in light of U.S. Patent Nos. 6,448,009 and 6,183,959. The issuance of a suitable communication reflecting this is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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Attachments
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